

From: Dave DiGiovanni
To: Microsoft ATR
Date: 1/24/02 10:52pm
Subject: Comments AGAINST Microsoft Settlement

Dear sirs,

I am the Information Systems Manager of a medium sized business. I feel that the Microsoft settlement does not do enough to stop Monopolistic practices. I also feel Microsoft has new practices that should be scrutinized and stopped. Not enough is being done to Change Microsoft's behavior in the business world.

- Make them Split OS and Applications.
- Make them Publish and distribute API Calls to it's application group on a fair basis with other companies and individuals.
- Make them accountable for Security holes.
- Make it possible for OEMs to bundle other software like Netscape or AOL.
- Make it possible for me to buy a PC with LINUX without the OEM paying Microsoft for a Non-existent license

I believe:

- Microsoft kills innovation in the industry as many companies are afraid to take risks knowing the Microsoft will either copy or steal good ideas and kill what could be profitable markets segments.
- Microsoft continues to thumb it's nose at existing standards in order to promote their proprietary standards. This has hurt progress in many areas of the Industry. It has also decreased Internet security in general.

1. As a IS manager I feel that not enough is being done to stop Microsoft's abuse of their monopoly nor stop future abusive practices.

- Nothing stops Microsoft from picking any market segment in the software industry and taking it over.
- They first roll it into the operating system or Office Package for Free - driving competitors out of Business.
- Later they increase the price of the OS or Office Package. These costs have increased out of proportion in the last few years.

2. As a one time Software Developer I know that I can never compete against Microsoft when the following happens:

- They control the API Calls that all software requires in order to function.
- They do not use the same API calls that they publish for developers to use. They use secret faster ones.
- If you use these Secret API calls and are singled out by them they well be changed and your Software will not work with the next iteration of their operating system. Theirs will!
- If they like your company you will be given advance notice of these changes and your software might work.
- If you are competing with them you will not be given advance notice of API call changes until the release of the new OS, long after everyone else has finished development.

3. When Users are reluctant to upgrade because of the costs involved.

- Microsoft Links the software license to the hardware. This makes the software get obsolescent as fast as the hardware 2 year VS 5 year cycle. You are not now allowed to transfer licences between machines if you bought from a major Hardware OEM.
- Switching to software leases. You can no longer own the software. Now Microsoft wants corporations to pay yearly for software with only a promise of free upgrades but no guarantee they will supply them or that they should be needed?

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